

ASSEMBLY BILL

No. 240

Introduced by Assembly Member Bermudez

February 7, 2005

An act to add Section 290.2 to the Penal Code, relating to sex offenders.

LEGISLATIVE COUNSEL'S DIGEST

AB 240, as introduced, Bermudez. Sex offenders: schools.

Existing law requires persons convicted of specified sex offenses to register with certain local authorities. Existing law prohibits persons placed on parole for convictions of certain sex offenses with minors from residing within 1/4 mile of any public or private school with one or more grades of kindergarten through 8th grade.

This bill would prohibit a person convicted of any violation requiring registration as a sex offender from residing within 2 miles of any elementary or secondary school. A violation of this provision would be a misdemeanor. By creating a new crime, the bill would impose a statemandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 290.2 is added to the Penal Code, to
2 read:
3 290.2. A person convicted of any violation requiring
4 registration pursuant to Section 290 shall not reside within two
5 miles of any elementary or secondary school. A violation of this
6 section shall be a misdemeanor.
7 SEC. 2. No reimbursement is required by this act pursuant to
8 Section 6 of Article XIII B of the California Constitution because
9 the only costs that may be incurred by a local agency or school
10 district will be incurred because this act creates a new crime or
11 infraction, eliminates a crime or infraction, or changes the
12 penalty for a crime or infraction, within the meaning of Section
13 17556 of the Government Code, or changes the definition of a
14 crime within the meaning of Section 6 of Article XIII B of the
15 California Constitution.